

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT ☒ INFORMATION ☐ INDICTMENT ☐
☐ SUPERSEDING

OFFENSE CHARGED

21 U.S.C. §§ 841(a)(1), (b)(1)(C)--Possession with Intent to Distribute a Federally-Controlled Substance (Fentanyl)

21 U.S.C. § 853 – Forfeiture Allegation

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: 20 years imprisonment; \$1,000,000 fine; 3 years to life supervised release; \$100 special assessment; forfeiture of drugs, cash, and instrumentalities of crime; and mandatory/discretionary denial of federal benefits

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ MARCO TULIO DIAZ-CRUZ

DISTRICT COURT NUMBER

CR23-00430WHA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Steven Mallon

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

3:23-mj-71672 MAG

Name and Office of Person
 Furnishing Information on this form Ismail J. Ramsey

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.
 Attorney (if assigned) Jeffrey Bornstein

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show)

FILED

Nov 16 2023

Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

IS IN CUSTODY

4) ☒ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF
ARREST**

Month/Day/Year
 11/6/2023

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: no bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments: